REMARKS

Attached hereto is a Terminal Disclaimer over U.S. Patent No. 4,486,147 (Baldo). While Applicants disagree that Baldo raises a double-patenting issue, the rejection is now moot.

The remaining issue is the rejection over Breton. This rejection was applied against independent Claim 12 and claims dependent thereon. Breton, however, only discusses the use of "S-DHEA," a sulfate material.[1]

Thus, amended Claim 12 (and the claims dependent thereon) cannot be suggested by Breton because DHEA sulfate has been removed from independent Claim 12. Because Breton does not suggest the use of any other DHEA material, Claim 12 and the claims dependent thereon are now free of rejection.

As the Examiner will note, new Claim 36 and claims dependent thereon have been added. This claim includes the original list of DHEA materials, including DHEA sulfate. However, Claim 36 is directed specifically to the treatment of pigmentation marks and thus is distinguished from the disclosure in Breton, which, at best, simply talks about the general yellowing of skin, a general loss of radiance, thinner skin, degeneration of collagen fibers, wrinkles, slackening, etc. See in particular column 1 of the reference. Nowhere in Breton is the specific treatment of pigmentation marks suggested or disclosed, nor is the treatment of such marks the same as, or suggested by, the general signs and symptoms discussed in Breton. Indeed, Breton admits that the disclosed S-DHEA is useful only for treating certain signs of aging. See column 1, line 15, of the reference. Certainly, the treatment of, e.g.,

[1] In this regard it is noted that Breton discusses only S-DHEA, and not other DHEA materials. Note column 1, lines 10-16; column 2, lines 1-14 and 24-28; and the several Examples and claims of Breton.

brown pigmentation marks is quite different from the general treatment of yellowing skin, for example.

Accordingly, Applicants submit that the above amendments to the claims place them in better form for appeal, but more importantly place them in condition for allowance because they describe subject matter that is neither suggested nor disclosed by the applied reference, Breton. For this reason, Applicants respectfully the reconsideration and withdrawal of all outstanding rejections, and the passage of this case to Issue.

Respectfully submitted,

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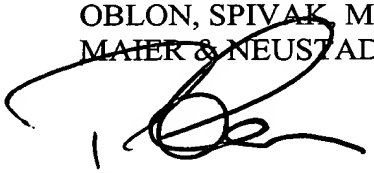

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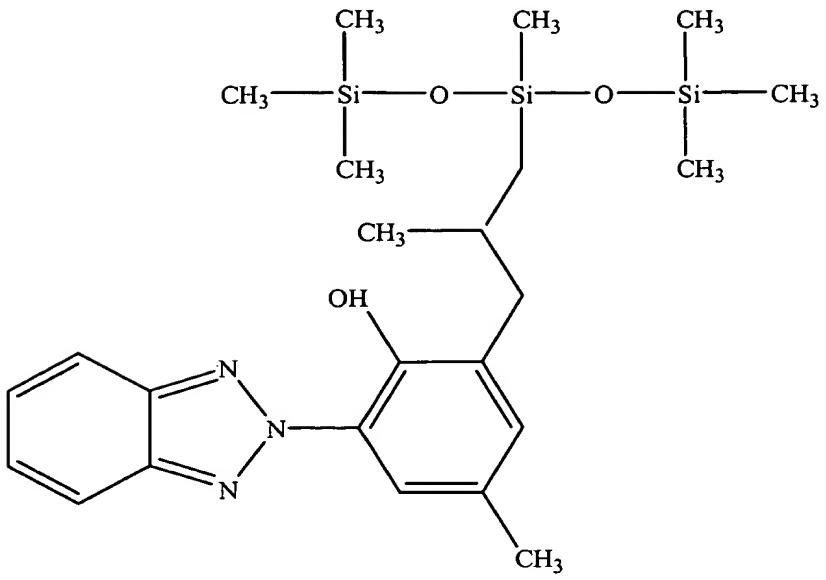
IN THE CLAIMS

--12. (Thrice Amended) A method of depigmenting and/or bleaching [for] of the skin and/or to improving the homogeneity of the color of the skin, comprising applying DHEA or at least one biological precursor thereof or metabolic derivative thereof to the skin, wherein said metabolic derivative thereof is selected from the group consisting of 5-androstene-3β,17β-diol, 5-androstene-3β,17β-diol sulfate and 4-androstene-3,17-dione and said biological precursor thereof is selected from the group consisting of pregnenolone, 17β-hydroxypregnenolone, [5-androstenediol, DHEA sulfate,] 17α-hydroxypregnenolone sulfate and 5-androstenediol sulfate.

20. (Amended) The method of Claim 19, [the] wherein the composition further comprises a UV screening agent [is] selected from the group consisting of dibenzoylmethane derivatives, benzylidenecamphor-based UVA-active screening agents, benzylidenecamphor-based UVB-active screening agents, benzimidazole-type or benzoxazole-type UVA-active screening agents, benzophenone derivatives, silane derivatives, polyorganosiloxanes containing a benzophenone group, benzotriazoles, benzotriazole silicones, triazine derivatives, cinnamic acid derivatives, alkyl 2-cyano-3,3-diphenylacrylates, octocrylene, the compound of formula I below,



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and mixtures thereof.

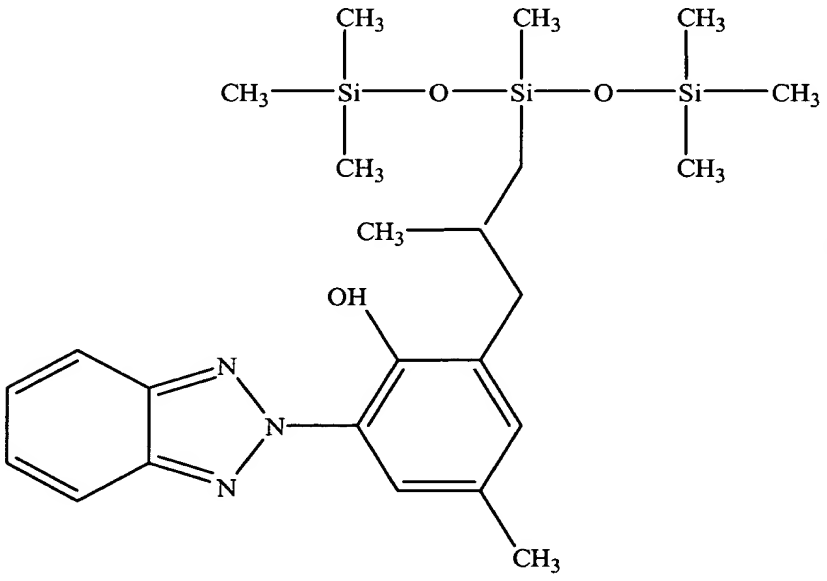
21. (Amended) The method of Claim 19, wherein the composition further comprises said other depigmenting agent [is] selected from the group consisting of kojic acid, ellagic acid, arbutin and derivatives thereof, hydroquinone, aminophenol derivatives, iminophenol derivatives, L-2-oxothiazolidone-4-carboxylic acid and salts or esters thereof, procysteine and salts or esters thereof, ascorbic acid and derivatives thereof, and plant extracts.

22. (Amended) The method of Claim 19, wherein the composition further comprises said keratolytic agent [is] selected from the group consisting of α-hydroxy acids, β-hydroxy acids, α-keto acids, β-keto acids, retinoids, HMG-COA reductase inhibitor, and sugar derivatives.

23. (Thrice Amended) A method of pro-pigmenting superficial body growths, comprising applying DHEA or at least one biological precursor thereof or metabolic derivative thereof to superficial body growths, wherein said metabolic derivative thereof is selected from the group consisting of 5-androstene-3β,17β-diol, 5-androstene-3β,17β-diol

sulfate and 4-androstene-3,17-dione and said biological precursor thereof is selected from the group consisting of pregnenolone, 17α-hydroxypregnenolone, [5-androstenediol,] DHEA sulfate, 17α-hydroxypregnenolone sulfate and 5-androstenediol sulfate.

31. (Amended) The method of Claim 30, wherein the composition further comprises the UV screening agent [is] selected from the group consisting of dibenzoylmethane derivatives, benzylidenecamphor-based UVA-active screening agents, benzylidenecamphor-based UVB-active screening agents, benzimidazole-type or benzoxazole-type UVA-active screening agents, benzophenone derivatives, silane derivatives, polyorganosiloxanes containing a benzophenone group, benzotriazoles, benzotriazole silicones, triazine derivatives, cinnamic acid derivatives, alkyl 2-cyano-3,3-diphenylacrylates, octocrylene, the compound of formula I below,



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and mixtures thereof.

32. (Amended) The method of Claim 30, wherein the composition further comprises said other depigmenting agent [is] selected from the group consisting of kojic acid, ellagic acid, arbutin and derivatives thereof, hydroquinone, aminophenol derivatives, iminophenol derivatives, L-2-oxothiazolidone-4-carboxylic acid and salts or esters thereof, procysteine and salts or esters thereof, ascorbic acid and derivatives thereof, and plant extracts.

33. (Amended) The method of Claim 30, wherein the composition further comprises said keratolytic agent [is] selected from the group consisting of α-hydroxy acids, β-hydroxy acids, α-keto acids, β-keto acids, retinoids, HMG-COA reductase inhibitor, and sugar derivatives.

36-42. (New).--